

Notice of Intent to Certify Sole Source

To: Interested Parties

From: David C. Johnson

CC: ITS Project Number 47281

Date: January 31, 2023

Re: Sole Source Certification Number 4519 to provide asset management solution software configuration and custom application development services for the Mississippi Wireless Communication Commission (WCC)

Contact Name: Roshunda Mitchell

Contact Phone Number: 601-432-8223

Contact E-mail Address: Roshunda.Mitchell@its.ms.gov

Sole Source Certification Award Details

Regarding Information Technology Services (ITS) Sole Source Certification Number 4519 for the Mississippi Wireless Communication Commission (WCC), please be advised that ITS intends to award MCM Technology, LLC as the sole source provider of asset management solution software configuration and custom application development services through January 31, 2024 in an amount not to exceed \$11,150.00. If WCC requires the configuration and custom application development services, this sole source certification shall be valid through January 31, 2026. Please be advised that ITS will determine if additional enhancements or upgrades are within scope during the certification period and may increase the spending authority accordingly. Should MCM Technology, LLC change their name during this certification period, then ITS will determine if a recertification is necessary. For an explanation regarding Mississippi state law, policy and procedures for sole source procurements, refer to Attachment B: Sole Source Procurement Overview.

Sole Source Criteria

1. The product or services being purchased must perform a function for which no other product or source of services exist:

The CommShop software was developed specifically for organizations who need to track, manage, and maintain radio communication systems and complex assets. The software is currently integrated with the Mississippi Wireless Information Network (MSWIN) and allows the WCC to effectively manage all assets utilized by MSWIN which manages the state's public safety communication systems. The WCC is needing professional services for database customization and custom report and application development for the CommShop software that only MCM Technology can provide.

These services will provide the WCC the ability to bill non-governmental agencies without having to rely on the manual processes utilized currently. Without these proprietary services, the WCC will have to continue its process of manually creating invoices and hand calculations for the non-governmental agencies utilizing the MSWIN system.

2. The purchaser must be able to show specific business objectives that can be met only through the unique product or services:

The Commshop software allows WCC staff to effectively manage all radio subscribers on MSWIN as well as all assets utilized by MSWIN including tracking of internal audits and loaning of cache radios. All required documentation by entities using MSWIN billing is managed and stored in one location. With the custom application and report creation services provided by MCM, the WCC will be able to stop relying on manual processes for the billing of non-governmental agencies that utilize MSWIN, reducing the staff time needed to manually create invoices with manual calculations.

3. The product or services must be available only from the manufacturer and not through resellers who could submit competitive pricing for the product or services:

As the sole proprietor for this software, Mcmtech is the only company that can provide the required services and software configuration. The Vendor's sole source certification letter is included as Attachment A.

4. Explanation of why the amount to be expended for the services is reasonable.

The vendor provided a very reasonable quote to perform only the needed changes.

5. Explanation of what the agency did to obtain the best possible price for these services.

WCC worked with the vendor to ensure minimal changes were needed.

Schedule

Task	Date
First Advertisement Date	01/31/23
Second Advertisement Date	02/07/23
Response Deadline From Objectors	02/14/23 at 3:00 P.M. Central Time
Notice of Award/No Award Posted	Not before 02/15/23

Project Details

In June 2007, ITS executed Contract 35183 with Motorola and WCC for implementation of a (MSWIN) statewide digital trunked land mobile radio system. In October 2013, ITS executed Change Order 40777, to provide changes and modifications to tower sites, consoles, and radios. In November 2018, ITS executed Contract 44796 to provide required due diligence services at MSWIN sites and a MCM software upgrade to Genesis CommShop. The WCC is requesting a programming change to the Commshop software.

Submission Instructions and Format of Response from Objecting Parties

Interested parties who have reason to believe that the asset management solution software configuration and custom application development services should not be certified as a sole source should provide information in the following format for the state to use in determining whether or not to proceed with awarding the Sole Source contract to MCM Technology, LLC.

1.1 Interested Party Information

1.1.1 Contact Name, Phone Number and email address

1.1.2 Company Website URL, if applicable

1.2 Objection to Sole Source Certification

1.2.1 Interested parties must present specific objections to the Sole Source certification using the criteria listed above.

1.2.2 A statement regarding the Interested Party's capabilities as related to this Sole Source Certification Request.

1.3 Comments will be accepted at any time prior to Tuesday, February 14, 2023, at 3:00 p.m. (Central Time) to Roshunda Mitchell at Roshunda.Mitchell@its.ms.gov or at the Mississippi Department of Information Technology Services, 3771 Eastwood Drive, Jackson, Mississippi 39211. Responses may be delivered by hand, via regular mail, overnight delivery, e-mail or by fax. Fax number is (601) 713-6380. ITS WILL NOT BE RESPONSIBLE FOR DELAYS IN THE DELIVERY OF RESPONSES. It is solely the responsibility of the Interested Parties that responses reach ITS on time. Interested Parties may contact Roshunda Mitchell to verify the receipt of their Responses. Responses received after the deadline will be rejected.

1.4 Interested Party responses should include the following information:

**SUBMITTED IN RESPONSE TO
Sole Source Certification No. 4519-47281
Accepted until February 14, 2023 @ 3:00 p.m.,
ATTENTION: Roshunda Mitchell**

If you have any questions concerning the information above or if we can be of further assistance, please contact Roshunda Mitchell at 601-432-8223 or via email at Roshunda.Mitchell@its.ms.gov.

Attachment A: Vendor Correspondence

Attachment B: Sole Source Procurement Overview



Date: January 20, 2023
To: Cindy Crocker, MSWCC
Subject: Mcmtech's Sole Proprietor for Commshop by Motiondeck software

This letter is to confirm that Mcmtech is the sole proprietor and provider of our Commshop powered by Motiondeck software solution.

Back in late 2018 / early 2019, Mcmtech implemented our Commshop Solution for the Mississippi Wireless Communications Commission to use to manage the MSWIN public safety radio communication system.

The MSWCC has requested some additional professional services and custom configuration to our software to help address their billing needs through our software. As the sole proprietor for this software, Mcmtech is the only company who can provide the required services and software configuration.

Please let us know if you have any questions or need additional support from our team.

Thank you,

Murray Shaw, VP of Sales
(205) 937-0950
Murray.shaw@mcmtechnology.com

mcmtechnology.com

3510 Vann Road, Ste 105 | Birmingham, AL 35235 | (877) 626-6157



track

manage

maintain



The acquisition of information technology for all state agencies and institutions of higher learning (IHLs) is within the scope of the ITS law, found in Mississippi Code Section 25-53-1, et seq., and the policies and procedures established in accordance with this statute, found in the ITS Procurement Handbook posted on the ITS website (www.its.ms.gov).

ITS enabling legislation requires that information technology hardware, software and services be acquired in a manner that insures the maximum of competition among all manufacturers and suppliers of such equipment and services. Accordingly, ITS promotes full and open competition through the issuance of open specifications and the objective evaluation of Interested Party proposals to determine the lowest and best offering to meet an agency's or public university's business requirements. True competition protects the integrity and credibility of purchasing in the public sector and is essential in providing best value and adequate contractual protection for the purchasing entity. In certain limited situations, information technology acquisitions may be sole-sourced.

ITS utilizes the provisions of Public Purchasing Law for Sole Source and Emergency procurements of information technology. Mississippi Public Purchasing Law (Mississippi Code Section 31-7-13) specifies that noncompetitive items available from one source only be exempted from bid requirements (sole-sourced). ITS statute, in Section 25-53-5 (p), permits ITS to utilize provisions in Public Purchasing Law or regulations, when applicable.

Per Public Purchasing law, acquisitions must meet the following criteria to be authorized as sole source:

1. The product or services being purchased must perform a function for which no other product or source of services exists,
2. The purchaser must be able to show specific business objectives that can be met only through the unique product or services, AND
3. The product or services must be available only from the manufacturer and NOT through resellers who could submit competitive pricing for the product or services. The vendor's correspondence regarding this criterion for this project is included as Attachment A.

By policy as documented in the ITS Procurement Handbook, acquisitions of IT services must include the following information to be authorized as sole source:

1. An explanation about why the amount to be expended is reasonable, and
2. An explanation regarding the efforts by the purchaser to obtain the best possible price.

For state agencies, approval of all technology purchases with a lifecycle cost of \$5,000 or less, including sole source purchases, has been delegated to the agency. The ITS Procurement Limits Policies for Agencies (a section in the ITS Procurement Handbook) require a minimum of two competitive written bids or proposals for technology purchases with a lifecycle cost over \$5,000 but not over \$50,000 (not over \$25,000 for projects funded by the American Recovery and Reinvestment Act). Since, for single source items, the procuring agency will be unable to obtain two written bids, ITS must certify all sole source acquisitions of information technology with a lifecycle cost greater than \$5,000.

Institutions of Higher Learning (IHLs) or public universities have been delegated the authority to certify sole source procurements up to \$250,000 lifecycle cost under the ITS Procurement Limits Policies for IHLs (a section in the ITS Procurement Handbook). For the certification of sole source procurements delegated to the CIOs at public universities, the public university must follow ITS' Sole Source Procedure, including advertisement of the intent to award as sole source. Institutions certifying a sole source purchase must ensure the criteria listed above are met and documented in writing by the institution and the Interested Party prior to certifying a product or service as sole source. Sole source documentation must be reviewed and approved by the IHL's CIO for any sole-source certification

above \$5,000. All sole source documentation should be retained in the public university's procurement file. Sole source requests above \$250,000 lifecycle cost require ITS approval.

Other than the delegations outlined above, all sole source technology procurements must be certified by ITS.

ITS thoroughly reviews Sole Source Certification Requests, determining if competing products and/or services exist. If so, ITS conducts a competitive procurement. If ITS' review confirms the sole source, then a Sole Source advertisement is issued, giving other Interested Parties an opportunity to identify competing products and/or services. Based upon the results of the Sole Source advertisement, ITS will either certify the request as a sole source or conduct a competitive procurement.